

O P E S  
DEC 03 2003  
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
**FIKES et al.**  
Appl. No. 09/458,298  
Filed: December 10, 1999  
For: **Inducing Cellular Immune Responses to MAGE 2/3 Using Peptide and Nucleic Acid Compositions**

Confirmation No. 8697  
Art Unit: 1644  
Examiner: Haddad, M.M.  
Atty. Docket: 2060.0130000/HCC/PAC

**Reply To Restriction Requirement And Election Of Species**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated **October 3, 2003**, Applicants hereby provisionally elect Group II and the species **KVAELVHFL (SEQ ID NO:367)**. Claims 1-4, 7, 8, 37, and 38 read on such species. These elections are made without prejudice to or disclaimer of the other claims or inventions disclosed.

Applicants reserve the right to claim additional species in the event that a generic claim thereto is found to be allowable in accordance with 37 C.F.R. § 1.141(a). These elections are made **without traverse**. Consideration and allowance of all pending claims are respectfully requested.

It is believed that extensions of time are not required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Helene Carlson*

Helene C. Carlson  
Agent for Applicants  
Registration No. 47,473

Date: 12/3/03

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